

FILED

IN CLERK'S OFFICE

2005 APR 21

UNITED STATES DISTRICT COURT

District of

MASSACHUSETTS

U.S. DISTRICT COURT
DISTRICT OF MASS.

COUNTY OF NASSAU,

Plaintiff,

V.

SUMMONS IN A CIVIL CASE

CASE NUMBER: 05-10179-PBS

(See attached Schedule A)

MDL No. 1456

TO: (Name and address of Defendant)
 Agouron Pharmaceuticals Inc.
 10350 North Torrey Pines Road, Suite 100
 La Jolla, CA 92037
 San Diego County

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Michael M. Buchman, Esq.
 Milberg Weiss Bershad & Schulman LLP
 1 Pennsylvania Plaza
 New York, New York 10119-0165

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

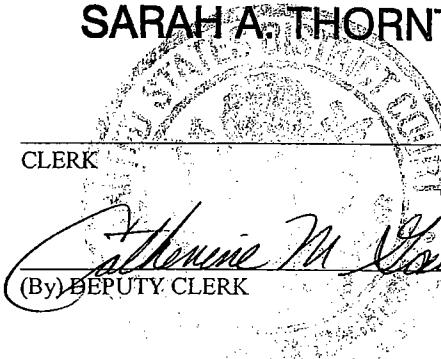
SARAH A. THORNTON

CLERK

DATE

3/8/05

(By) DEPUTY CLERK



AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and Complaint was made by me ⁽¹⁾	DATE	
NAME OF SERVER (PRINT)	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____ <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____ 		
<input type="checkbox"/> Returned unexecuted: _____ 		
<input type="checkbox"/> Other (Specify): _____ 		
STATEMENT OF SERVICE FEES		
Travel	Services	Total
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.		
Executed on _____	Date _____	<i>Signature of Server</i> _____ <i>Address of Server</i> _____

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

Schedule A

Abbott Laboratories, Inc.
100 Abbott Park Road
Abbott Park, IL 60064-3502
Lake County

Agouron Pharmaceuticals Inc.
10350 North Torrey Pines Road, Suite 100
La Jolla, CA 92037
San Diego County

Amgen, Inc.
One Amgen Drive
Thousand Oaks, CA 91320
Ventura County

AstraZeneca U.S.
Astr&Zeneca Pharmaceuticals L.P.
1800 Concord Pike
Wilmington, DE 19897-0001
New Castle County

Aventis S.A.
Aventis Behring L.L.C.
1020 First Avenue
King of Prussia, PA 19406
Montgomery County

Aventis Pharmaceuticals Inc.
300-400 Somerset Corporate Boulevard
Bridgewater, NJ 08807-2855
Somerset County

Barr Laboratories, Inc.
2 Quaker Road, Box 2900
Pomona, NY 10970-0519
Rockland County

Baxter Health Care Corp.
One Baxter Parkway
Deerfield, IL 60015-4625
Lake County

Bayer Corporation
100 Bayer Road
Pittsburgh PA 15205-9707
Allegheny County

Berlex Laboratories, Inc.
300 Fairfield Road
Wayne, NJ 07470
Passaic County

Biogen, Inc.
14 Cambridge Center
Cambridge, MA 02142
Middlesex County

Boehringer Ingelheim Corp.
P.O. Box 368
900 Ridgebury Road
Ridgefield, CT 06877-0368
Fairfield County

Bristol-Myers Squibb Company
345 Park Avenue
New York, NY 10154-0001
New York County

Chiron Corporation
4560 Horton Street
Emeryville, CA 94608-2916
Alameda County

Eli Lilly and Company
Lilly Corporate Center
Indianapolis, IN 46285
Marion County

Forest Pharmaceuticals Inc.
13600 Shoreline Drive
St. Louis, MO 63045
Saint Louis County

Fujisawa Health Care, Inc.
Three Parkway North
Deerfield, IL, 60015
Lake County

Genentech, Inc.
One DNA Way
South San Francisco, CA 94080-4918
San Mateo County

Genzyme Corp.
500 Kendall Street
Cambridge, MA 02142
Middlesex County

SmithKline Beecham Corporation, d/b/a GlaxoSmithKline
One Franklin Plaza
Philadelphia, PA 19102
Philadelphia County
Delaware Corp.

Immunex Corporation
51 University Street
Seattle, WA 98101-2918
King County

Ivax Corp.
4400 Biscayne Blvd.
Miami, FL 33137
Miami-Dade County

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933
Middlesex County

Janssen Pharmaceutical Products
1125 Trenton-Harbourton Road
Titusville, NJ 08560
Mercer County

Ortho-McNeil Pharmaceuticals, Inc.
1000 U.S. Route 202 South
Raritan, NJ 08869
Somerset County

Ortho Biotech Inc.
700 U.S. Highway 202
Raritan, NJ 08869
Somerset County

Key Pharmaceuticals, Inc.
1011 Morris Ave.
U-13-2 2900
Union, NJ 07083
Union County

MedImmune, Inc.
35 W. Watkins Mill Road
Gaithersburg, MD 20878
Montgomery County

Merck & Co., Inc.
One Merck Drive, P.O. Box 100
Whitehouse Station, NJ 08889-0100
Hunterdon County

Mylan Laboratories Inc.
1500 Corporate Drive
Suite 400
Canonsburg, PA 15317
Washington County

Novartis Pharmaceuticals Corporation
One Health Plaza
East Hanover, NJ 07936-1016
Morris County

Organon Inc., USA
375, Mount Pleasant Avenue
West Orange, NJ 07052
Essex County

Pfizer, Inc.
235 East 42nd St.
New York, NY 10017-5703
New York County

Pharmacia Corp.
235 East 42nd St.
New York, NY 10017-5703
New York County

Purdue Pharma, L.P.
One Stamford Forum
201 Tresser Boulevard
Stamford, CT 06901-3516

Fairfield County

Reliant Pharmaceuticals LLC
721 Route 202/206
South Bridgewater, NJ 08807
Somerset County

Sanofi-Synthelabo, Inc.
One Wall Street
New York, NY 10286
New York County

Schering-Plough Corp.
2000 Galloping Hill Rd.
Kenilworth, NJ 07033-1310
Union County

Serono, Inc.
One Technology Place
Rockland, MA 02370
Plymouth County

Takeda Pharmaceuticals North America, Inc.
475 Half Day Road
Lincolnshire, IL 60069
Lake County

TAP Pharmaceutical Products, Inc.
675 North Field Drive
Lake Forest, IL 60045
Lake County

Warrick Pharmaceuticals Corp.
12125 Moya Boulevard
Reno, NV 89506-2600
Washoe County

Wyeth
Five Giralda Farms
Madison, NJ 07940-1027
Morris County

AFFIDAVIT OF SERVICE
United States District Court

County of Nassau,)	
Plaintiff)	
)	
)	
vs.)	Case No. 05-10179-PBS
)	
Agouron Pharmaceuticals, Inc..)	
Defendant)	
)	
)	

I, Torry Gaustad, being first duly sworn, depose and say that I am and at all times hereinafter mentioned was a competent person over the age of 18 years and not a party to or an attorney in the above entitled cause. The following is the list of documents I received:

Summons In A Civil Case; Complaint; Civil Cover Sheet; Rule 7.1 Statement; Summons In A Civil Case; Amended Complaint; Civil Cover Sheet

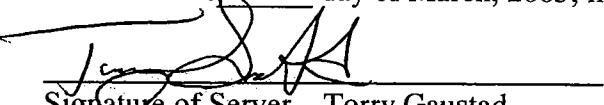
The foregoing documents were served on March 24, 2005 at 11:10 a.m.

By personally delivering Stan Rodkin, Security, a copy of said documents on behalf of Agouron Pharmaceuticals, Inc., at 10777 Science Center Drive, San Diego, CA 92121

Stan Rodkin spoke with the agent for service of process D. Frederick Jay on the phone and he authorized Stan to accept the documents on his behalf.

I declare under penalty of perjury under the laws of the State of California, that the foregoing is true and correct.

Executed this 25 day of March, 2005, in San Diego, CA.


Signature of Server – Torry Gaustad

CERTIFICATE OF ACKNOWLEDGMENT

State of: California
County of: San Diego

E.S.Q. Services, Inc.
4015 Park Blvd., #218
San Diego, CA 92103
(619)296-0120

Sworn to before me, Javier Arreola, Notary Public
Notary Public, On 3/25/05


Notary's Signature

